

**DOCKET NO.: CP 245**  
**Application No.: 10/660,058**  
**Office Action Dated: November 2, 2007**

**REMARKS**

After entry of the present amendments Claims 18, 21, 45 and 46 will be pending in the application. Claims 11-17 and 19 have been withdrawn from consideration. Claims 1-10, 20 and 22-44 have been canceled.

**THE REJECTIONS UNDER 35 U.S.C. § 103:**

Claims 2, 3, 5, 7-9, 20, 22-24, 26, 27, 29, 31, 33 and 38-42 were rejected under 35 U.S.C. § 103(a) "as being unpatentable over Laurent (U.S. Patent No. 5,401,776)." (November 2, 2007 Office Action, Page 3). Further, claims 35-37 were rejected under 35 U.S.C. § 103(a) "as being unpatentable over Laurent (U.S. Patent No. 5,401,776) further in view of Lawyer et al. (US 2003/0171439A1)." (November 2, 2007 Office Action, Page 2 to 3). Applicants have cancelled claims 2, 3, 5, 7-9, 20-22-24, 26, 27, 29, 31, 33 and 35-42. Applicants respectfully request the Examiner withdraw this rejection as it is now moot.

**DOUBLE PATENTING:**

Claims 2, 3, 5, 7-9, 18, 20-24, 26, 27, 29, 31-33, 38-42, 45 and 46 were rejected as being unpatentable on the ground of nonstatutory obviousness-type double patenting. Applicants submit herewith a Terminal Disclaimer over the following patents/patent applications:

6,919,378  
6,489,363  
10/155,913  
10/243,557  
11/550,588

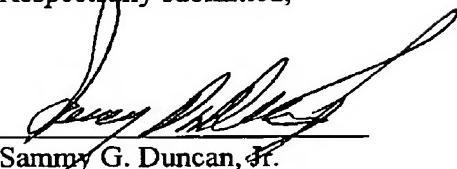
Applicants submit that in light of this properly filed Terminal Disclaimer these rejections are now moot and respectfully request the Examiner withdraw them.

**DOCKET NO.: CP 245**  
**Application No.: 10/660,058**  
**Office Action Dated: November 2, 2007**

**CONCLUSION**

In view of the above, it is believed that all the claims are in form for allowance, and an early notification to that end is respectfully requested. No fees are believed due for the filing of this response; however, should any fees be necessary please charge them to Deposit Account No. 03-1195. A copy of this page is enclosed

Respectfully submitted,



Sammy G. Duncan, Jr.  
Attorney for Applicants  
Registration No. 46,675  
Date: December 7, 2007

Cephalon, Inc.  
41 Moores Road  
Frazer, PA 19355  
Telephone (610) 727-6212  
Telefax (610) 727-7651